



PATENT
Attorney Docket No: 28594/35007A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Helmerhorst, et al.

Application Serial No. 09/400,769

Filed: September 22, 1999

For: Use of Non-Peptidyl Compounds
for the Treatment of Insulin-Related
Ailments

Group Art Unit: 1614

Examiner: H. Robinson

) I hereby certify that this paper is being
) deposited with the United States Postal
) Service as First Class mail, postage
) prepaid, in an envelope addressed to:
) Assistant Commissioner for Patents,
) Washington, D.C. 20231, on
) September 28, 2000.

)
)
)
) Joseph A. Williams, Jr., Reg. No. 38,659

8/B
A.G.
10/18/00
RECEIVED
OCT 19 2000
TECH CENTER 1600/2939

**APPLICANTS' PRELIMINARY AMENDMENT
AND
RESPONSE TO A RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to a restriction requirement mailed June 28, 2000, Applicants herein submit the following amendment and provisionally elect claims 5 through 19 (designated Group II by the Examiner) with traverse. Applicants respectfully request entry of the amendment prior to examination of the claims on the merits and, in view of the remarks below, request that the restriction requirement be withdrawn.

A petition for a two month extension of time accompanies this submission.

AMENDMENT

In the Claims:

Please amend claim 1 as indicated below.

1. (Amended) A method for treating a patient suffering from one or more insulin related ailments, which method comprises the step of: administering to a patient in need thereof a [an] therapeutically effective amount of a non-peptidyl compound that is a

B1